

Washington County Land Use Authority Meeting
March 13, 2012
(Recording malfunctioned)

The Washington County Land Use Authority Meeting was held Tuesday, March 13, 2012 in the Council Chambers of the Washington County Administration Building located at 197 E. Tabernacle, St. George, UT. The meeting was convened at 1:30 p.m. by Vice Chairman Kim Ford.

Commissioners present: Dave Everett, Deborah Christopher, Mike Stucki, JoAnn Balen, and Rick Jones.

Excused: Julie Cropper (alternate), Doug Wilson.

Staff present: Deon Goheen, Planning & Zoning Administrator; Rachelle Ehlert, Deputy Attorney; Doreen Bowers-Irons, Planning Secretary; Kim Hafen, County Clerk; Dean Cox, County Administrator, Kurt Gardner, Building Official.

Audience attendance: John Willie, Margaret Gibson, Chris Faulhaber.

Vice Chairman Ford welcomed and thanked everyone for attending. He excused Doug Wilson who was unable to attend. He led the Pledge of Allegiance, after which, he explained meeting protocol.

I. STAFF COMMENTS. Review staff comments for each agenda item listed; Staff initiated.

II. CONDITIONAL USE PERMIT EXTENSION. Review extension for an exception to height limitations on a 60' silo and to establish a batch plant at Snowfield Rock Products, which is an existing gravel crushing operation north of Pintura; Tom Walbom/ Granite Construction Company, applicant.

The planner showed a map of the area and stated the applicant had previously submitted a packet for the Commission to review, which would allow the applicant to operate an asphalt plant operation at an existing gravel pit. This use was initially approved in July of 2007. These types of uses (mining and mineral development) are conditionally approved within the OST-20 Zone (*County Code 10-6B-3*) and asphalt plants are approved conditionally within the Industrial Zone (*County Code 10-12-3*). Whereas, this use is temporary in nature (5 year lease) the commission may want to consider this use as similar and in harmony with the character and intent of the zone. The commission may recall granting an exception to the height requirement, whereas one of the silos is about 60' in height. Access for haul trucks would be from the Snowfield (Ranch) Exit on I-15, with ingress and egress from an existing county or frontage road and a private easement. Sanitation and water needs for dust control will be addressed. The commission addressed operating hours and number of haul trucks. The applicant is in contact with MSHA and EPA on portable asphalt plant that will be reviewed and monitored when it is in place. The Dixie Deer project should be completed in April, but they would like to bid on other projects in the area and would therefore like to keep the Conditional Use Permit active.

Chris Faulhaber, representing Granite Construction Company stated they are almost finished with the project but expect more work and therefore would ask for approval of the conditional use permit extension would like to keep the Conditional Use Permit active. They provided 55,000 ton of product for the Dixie Deer Drive road project. He noted they had relocated the silo from the original site on the property to a different location within the property, which he pointed out on the map. They ran anywhere between 9 to 12 trucks per day.

Vice Chair Ford stated he looked at the location as he passed to property on his way to the meeting and thought there were two silos that looked the same in height. Mr. Faulhaber stated one is 30-feet and the other is 60-feet that sits behind the other. It appears they are the same height but they are not.

Motion: **Commissioner Stucki MOVED to recommend the County Commission approve the Conditional Use Permit Extension for an exception to height limitations on a 60' silo and to**

establish a batch plant at Snowfield Rock Products, which is an existing gravel crushing operation north of Pintura; Tom Walbom/Granite Construction Company, applicant for one (1) year; Commissioner Christopher seconded. The Motion carried with all five (5) Commissioners voting in favor.

This item will go before the County Commission on March 20, 2012 for consent.

III. CONDITIONAL USE PERMIT EXTENSION. Review extension for the Tour Del Sol bike ride to be held on Saturday, March 31 and Sunday April 1, 2012. The route will loop from St. George up Highway 18 to Veyo then back via the road from Veyo to Gunlock and Highway 91 to Beaver Dam area and back to St. George; Spin Geeks, LLC/Red Rock Bicycle, applicant.

The applicant was not in attendance and the commission moved to the next item until the applicant arrived. The applicant arrived and the commission moved back to the item.

The Planner showed the route map. She reported this is the third extension for this two day event beginning Saturday, March 31 and ending Sunday April 1, 2012. The first day will run throughout the cities and the second day of the event going throughout the county unincorporated areas from St. George to Veyo and Gunlock and back to St. George via Old Highway 91. The route will impact some county roads as they will be doing a loop from St. George up Highway 18. The sponsors have taken care of all the community approvals. There will be sanitary facilities at the beginning of each event. The Sheriff's Office will need to be updated on this event and the County will need to be listed as a beneficiary on the liability insurance policy. There have been no direct complaints on this item.

Margaret Gibson stated she coordinates all of the events for Spin Geeks and currently they have nine events. She reported on the event and how the route is laid out. The Saturday event will be held out by the airport and the Sunday event will be held on the county roads. She explained how the event would occur. The event is a timed event and the riders do not stop.

Vice Chairman Ford asked about markings for the course. Ms. Gibson answered they post arrow signs, not paint.

Commissioner Balen asked about keeping the riders behind the white line on Highway 18. Ms. Gibson stated if the riders cross the lines other than to pass another rider they would be disqualified. Once they have completed the pass they should be in the lane behind the line. Also, they have to stay in one lane and cannot under any circumstances cross the yellow lines. She explained the rules and penalties of the race.

A discussion regarding the race, the participants and number of riders on Highway 18, the starting times, and the rules occurred. Ms. Gibson pointed out that they hold pre-race meetings and the rules are explained to the riders who follow them closely because of the possibility of elimination.

Motion: Commissioner Balen MOVED to recommend the County Commission approve the Conditional Use Permit Extension of the Tour Del Sol bike ride to be held on Saturday, March 31 and Sunday, April 1, 2012. The route will loop from St. George up highway 18 to Veyo then back via the road from Veyo to Gunlock and Highway 91 to Beaver Dam area and back to St. George; Spin Geeks, LLC/Red Rock Bicycle, applicant, for one (1) year; Commissioner Christopher SECONDED. The motion carried with all five (5) Commissioners voting in favor.

This item will go before the County Commission on March 20, 2012 for consent.

IV. CONDITIONAL USE PERMIT EXTENSION. Review permit extension to install water lines from the source across SITLA land for future growth and upgrade for development in Dammeron Valley; Dammeron Corp/Brooks Pace, applicant and Brown Engineering, agent.

The planner showed a map of the route the transmission lines would cross along with a plan outline. She reported this is an automatic annual review. The project was completed several months after the request was made. This project should be approved on a permanent basis. The transmission lines were installed from Bonnie Springs wells to the existing Dammeron Valley Water Works System, approximately 1½ miles. Public utilities and transmission lines are required to come before the Planning Commission as a conditional use, regardless of whether they are on private or public lands. As previously reviewed, as a utility corridor, the County would request a map graphically showing the location, description, and dimensions of their easements. The Dammeron Valley Water Company is a privately owned water company, but serving more than the minimum number of homes, and could still come under the Department of Environmental Quality. The DEQ would make any inspections and write letters of approval.

There was no one to represent the item.

Kurt Gardner, Building Official reported the County Engineer, Todd Edwards, has reviewed the project and the fire hydrants that were installed and believed it met with his approval for permanent approval.

Commissioner Everett asked for clarification on the approval of the fire hydrants and if they were part of the original conditional use permit that was granted when the transmission lines were approved. The planner reported they were not and the applicant installed them at his own risk. The hydrants are on SITLA property and the developer is hoping that at some point in the future to acquire the land for ownership and development.

Commissioner Balen stated there are advantages to installing the hydrants at the same time as they installed the water lines.

Commissioner Stucki voiced his nervousness of the fire hydrants being installed and if they were approved and inspected. He stated his belief was they should be removed until proper approval to install them is granted.

Commissioner Everett stated he would like to have a letter from SITLA regarding their approval of the installed hydrants on their land.

A discussion regarding the water lines and the hydrants, took place. This included a discussion on whether or not to table the item until further clarification from the engineer could be made, or recommend granting permanent approval occurred.

Motion: Commissioner Everett **MOVED** to table the recommendation to the County Commission to approve the Conditional Use Permit Extension to install water lines from the source across SITLA land for future growth and upgrade for development in Dammeron Valley on a permanent basis until the next meeting in order to get questions on the fire hydrants answered from the County Engineer; Dammeron Corp/Brooks Pace, applicant and Brown Engineering, agent. Commissioner Christopher **SECONDED**. The motion carried with all five (5) Commissioners voting in favor.

V. PUBLIC HEARING. Open hearing for Washington County Land Use (Zoning) Ordinance amendments regarding Family Burial Grounds; County initiated

The planner advised the Commission to open the public hearing as referenced by State Code, whereas amending the Washington County Land Use (Zoning) Ordinance requires a minimum ten days published

notice and 24-hour posting of agenda before other public meeting. This item is in conjunction with the item below.

Vice Chair Ford open the meeting for the Public Hearing.

The County attorney provided a news article regarding a back yard burial request in Cottonwood Heights City. She stated the draft presented to the Planning Commission today is the final draft and is based on the discussion from the last meeting. There were some changes made the commission wanted to see.

Dean Cox addressed the Commission and thanked them for their time and service. He suggested that if the ordinance were too restrictive, there should be findings to buttress the reasoning.

The Commission and Staff discussed the proposed ordinance in detail. The discussion included distance from water sources, property lines, setbacks, recordation of deeds, and minor verbiage changes to the ordinance.

The attorney will revise the draft and bring it back for approval at the next meeting.

Vice Chair Ford closed the meeting for the Public Hearing.

VI. ORDINANCE AMENDMENT. Consider approval on amendments to the Washington County Land Use (Zoning) Ordinance, Title 10, Chapter 26, Family Burial Grounds; County initiated.

The planner reported the commission reviewed this chapter at the previous meeting and suggested corrections to the draft copy. Those changes have been made. As reviewed previously, this is an amendment to Title 10 of the County Ordinance that staff has looked at for several months after a pending ordinance was called for by the County Commission and staff would like to have the addition implemented. The Planning Commission may want to recommend approval as is; or review and vote for modifications; or table this item for further review. If approved, this will go before the County Commission as a recommendation on March 20, 2012.

The commission discussed how to proceed with the motion and determined they would table the item until the next meeting to allow the County Attorney's office to revise the ordinance as discussed in the Public Hearing portion of the meeting.

Motion: Commissioner Balen **MOVED** to table recommendation to the County Commission to approve amendments to the Washington County Land Use (Zoning) Ordinance, Title 10, Chapter 26, Family Burial Grounds; County for the County Attorney to revise the ordinance as discussed. Commissioner Jones **SECONDED**. The motion carried with all five (5) Commissioners voting in favor.

VII. DISCUSSION ITEM – EVENT TIME LINES. Review events scheduled for use on ST-18, Gunlock Road, and Old Highway 91; County initiated.

The Planner provided an event chart and reported that the County Commission had asked Planning Staff to look at the approved event uses on SR-18, Gunlock Road, and Old Highway 91, whereas they are receiving complaints from the public on the amount of activity on these roads. The Commission recognizes that revenue generated from these types of events is good for the area in these down times. After charting the different events, there would be a lot of activity, possibly two months in advance of the St. George IRONMAN for training purposes, plus two additional bike rides, a team relay, and a marathon. There are also several local bike groups and individual riders utilizing the roads. Staff thought of taxing bike usage, such as motorized vehicles or charging more for events in order to pay for the costs of improvements to the roads. It was suggested that there should be more promotional publicity or public awareness in the area of these events... signage, advance notice given, organization responsibility in addressing public concerns and complaints. Public Works and Questar indicated that the event coordinator should NOT use permanent paint for marking

the roads... Yellow and green are completely off limits as those are used for utility markings. They should be using biodegradable markers or signage that will be removed immediately after the event. It was suggested by staff that we also look at events on SR-9 on the east end of the County, although the County area of jurisdiction consists of three miles between Virgin and Rockville.

The planner reported she had gone out for each day at various times for a week to get an idea of bike usage along Highway 18. She reported on the numbers of riders and runners she counted who were on the road.

A lengthy discussion regarding the number of bike riders along existing roads and alternate routes occurred. The Commission suggested forming a committee to review events and routes. Not to stop or discourage events from coming into the County but helping to alleviate traffic problems on some of these roads and various events from overlapping others. Funding and revenue for improvements for bike paths and signage was also discussed.

VIII. STAFF DECISIONS. Review of decisions from the Land Use Authority Staff Meeting held on March 6, 2012; County initiated.

The Planner reported on the Staff meeting held March 6, 2012, which are as follows:

ACTIONS OF THE LAND USE AUTHORITY STAFF MEETING
March 6, 2012

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; Rachelle Ehlert, Deputy Civil Attorney; Todd Edwards, County Engineer; Darwin Hall, Ash Creek Special Service District; Tina Esplin, Washington County Water Conservancy District; Director Paul Wright, Department of Environmental Quality; and Becky Marchal, Questar Preconstruction Specialist.

Excused: Ron Whitehead, Public Works; and Robert Beers, Southwest Utah Public Health Department.

CONDITIONAL USE PERMIT:

A. Request permission for a single family dwelling within the OST-20 zone, located in the Coal Pits area of Washington County. Sandra Jeager, applicant.

The applicant meets most of the requirements for the Conditional Use Permit having submitted a site plan, septic permit drawings stamped and approved, although the "pink slip" was not included in the packet and the quality test on the well water was not available. The quantity was adequate. The property is accessed from Dalton Wash/Coal Pits Rd., then utilizing an existing easement provided by Virgin Town onto private land. The site plan meets all setback requirements and single family dwellings are conditionally approved within the OST-20 zone. This parcel number was established prior to 1972, having grandfather status, and was later approved as a lot line adjustment between four (4) property owners on 400+ acres. The engineer drawings showed contours on the site plan and survey taking into consideration the Washington County Hillside Ordinance and slopes seemed to be less than 20%. Fire suppression will be looked at during the building permit phase, following the guidelines of the Wildlands Urban Interface Code. **Staff agreed to approve the Conditional Use Permit subject to receiving the "pink slip" from the SUPHD and the information on the quality of water. This was approved for the period of one (1) year.**

Staff reviewed three (3) Conditional Use Extension items to be reviewed by the Planning Commission on their regular agenda. They reviewed a Discussion Item on event time-lines for use of roads on SR-18, Gunlock Rd., and Old Hwy 91. An Ordinance Amendment for Family Burial Grounds has been advertised as a public hearing for the Planning Commission Meeting.

IX. MINUTES. Consider approval of the minutes of the regular Planning Commission meeting held February 14, 2012.

The Commission and staff discussed corrections that needed to be made to the minutes.

Motion: Commissioner Everett MOVED to adopt the Minutes of February 13, 2012 with one correction. Commission Christopher SECONDED. The motion carried with all five (5) Commissioners voting in favor.

X. COUNTY COMMISSION ACTION REVIEW. Review of action taken by the County Commission on Planning Items during the February 21, 2012 meeting; County initiated.

The Planner reported on items on the County Commission agenda of February 21, 2012 from the Planning Commission that was approved as follows: (a) Conditional Use Permit Extension to operate a gravel crusher within the OST-20 Zone generally located ¼ mile east of the Washington County Landfill; Dee Atkins, landowner/Western Rock Products, applicant; (b) Conditional Use Permit Extension on the Lake to Lake Team Relay from Gunlock Reservoir to Sand Hollow Reservoir, March 3, 2012, sponsored by the City of St. George Recreation Department; St. George City/Aaron Metler, applicant; (c) Conditional Use Permit Extension for the New Harmony Fire Mud Run to be held on June 23, 2012, located at Old Highway 91 Bridge in Kolob Mtn. Ranches Subdivision; Manny Hernandez, agent. (d) Conditional Use Permit Extension for a charity ride "Tour De St. George" spring event to be held on April 14, 2012 from St. George to Veyo and Gunlock; Spin Geeks, LLC/Red Rock Bicycle, applicant.

XI. COMMISSION & STAFF REPORTS. General reporting on various topics; County initiated.

There were no reports made.

Commissioner Balen moved to adjourn the meeting at 3:00 p.m.

Doreen Bowers-Irons, Planning Secretary
Approved: 10 April 2012